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Combating Terrorism Through Fusion Centers: Useful Lessons From Other Experiences?

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European nations might consider an institutional option in their ongoing fight against terrorism. Research on intelligence reform globally indicates that certain institutional innovations to combating terrorism that may not have been seriously considered by decisionmakers in some European countries.

International news reporting on the effectiveness of the intelligence services and the police in France, and even more so in Belgium, has been extremely negative. The *New York Times* during the Spring of 2016, following the attacks by Islamic State (IS/ISIS) on 22 March, which killed at least 32 people and injured more than 300 at the international airport and in the center of Brussels, published a series of articles demonstrating the weakness of Belgian intelligence. Its editorial of 12 April was titled "Europe's Urgent Security Challenge," and an article in *The Economist* of 2 April 2016 was titled "No Poirots: Belgian Police are Flummoxed by IS." What is more, most scholarly work remains extremely pessimistic about the potential for developing more effective intelligence against terrorism.¹ Not surprisingly, intelligence and counterintelligence are topics of primary concern of the European Union (EU) and its member states.² While a great deal has been published about intelligence failures, the literature on intelligence successes is rather meager.³ While keeping a fundamental consideration in mind, as captured in the following statement: "Those who know don't say, and those who say don't know," ample evidence is available to suggest that the intelligence agencies may not be up to the demands posed by the current terrorist threat promoted by DAESH/IS/ISIS. The attacks in San Bernardino, California, on 2 December 2015 in which 14 people were killed and 22 seriously injured, and in Orlando, Florida, on 12 June 2016 in which 49 people were killed and 53 seriously injured, make clear that no country is immune to mass deaths whether termed "terrorism," "hate crimes," or "violent extremism."⁴

European countries desire to never again repeat the horrible experiences of the Gestapo, STASI, KGB, Securitate, and other instruments of state security in dictatorships. But countries can overcome their past, as did Spain, a dictatorship between 1939 and 1975, in which the security apparatus was an arm of repression, and Romania, in which the Securitate was widely recognized as the epitome of a Communist dictatorship's state security instrument which "disappeared" and intimidated people. That these two countries have been able to overcome their past, recognize the current threats to their sovereignty and the well-being of their people, and create such effective intelligence agencies as Spain's CNI⁵ and Romania's SRI, both under democratic civilian control, lends optimism that other countries can follow suit.

Three major bases motivate an awareness of the need to reexamine the European intelligence systems and implement innovations. First, the EU

has formulated very impressive documents whereby its member states are expected to implement recommended plans and processes for organizations that are ostensibly tasked with internal or domestic security.⁶ That internal or domestic security is an important issue for the population is validated in the most recent survey by the EU on the general topic of security. That the first sentence of the Introduction to this survey: “Security is arguably a greater issue for Europeans in 2015 than at any time since a generation ago” comes as no surprise.⁷ As the report states: “Roughly half of the respondents (49) identified terrorism as one of the EU’s most important security challenges. This is a substantial increase from the 33 of respondents who mentioned terrorism in 2011 (Special Eurobarometer 371).”⁸ Further, 68 percent of the respondents think that the challenge of terrorism is likely to increase over the next three years.⁹ The fieldwork for the EU survey was conducted in March 2015, after the Paris *Charlie Hebdo* terrorist attacks in January 2015, when 17 people were killed, and the attack in February in Copenhagen when two were killed, but before the truly horrific terrorist attacks in Paris on 13 November 2015 in which more than 130 were killed and the attacks in Brussels of 22 March 2016. The gruesome evidence on terrorism in Europe, or perpetrated against foreigners, including Europeans throughout the Middle East, Tunisia, Mali, Bangladesh, Burkina Faso, and Turkey, is contained in the international data bases on terrorism that are readily available on the Web.¹⁰ With ISIS on the defensive militarily in Middle East and North Africa, ongoing terrorist attacks in Europe and beyond will continue.

But the most telling datum in this same *Eurobarometer Report* is its Question (QA9) which reads: “In your view, what role should each of the following play in ensuring the security of citizens in (Our Country)?” This is a closed question. Oddly, the six options do NOT include the intelligence organizations.¹¹ Their absence on this list of the primary organizations—civilian or/and military—in most countries that are tasked to identify potential terrorists and avoid terrorist attacks raises the question of why they are not included. Perhaps because intelligence remains a national vs. EU responsibility.

Second, a book purportedly on how countries integrate or “fuse” the intelligence product, *Fusion Centres Throughout Europe*, was produced by the Belgian Standing Committee on Intelligence and Security.¹² It reviews the status and structure of the Belgian fusion center and those of 19 other European countries. But the discussion is extremely formulaic, and these “fusion centers” deal exclusively with national level intelligence agencies, except in the case of Spain, which deals with linking national intelligence with police intelligence, a unit understood as either the Spanish National Police (*Cuerpo Nacional de Policía*) or *Guardia Civil* (the Spanish Military Police, akin to the *Gendarmerie* in France or *Carabinieri* in Italy).

While a European-wide intelligence organization now exists, the general awareness is that it has no capabilities to collect, and a very limited ability to fuse, intelligence from information and intelligence that derives from the national intelligence services of the EU members.¹³ By its very nature, as a secret activity based largely on trust and reciprocity in exchanging a piece of information for another—an action not possible in the EU as it currently exists—intelligence for the time being remains fundamentally a national activity, with very limited incentive for change.¹⁴ Those European countries that invest more in intelligence and have better capabilities are not willing to share if there is no reciprocity. The fact that *Eurobarometer* #432 does not include intelligence agencies in efforts at combatting terrorism is telling.

Page XXI of *Fusion Centres Throughout Europe* highlights a key challenge. The report states: “Despite impressive progress, the relations between the intelligence and the law enforcement communities remain a ‘work in progress.’”¹⁵ Given the scope of the threat of terrorism in many European countries, and the relatively small size of the intelligence agencies, the police should arguably be involved in order to respond most effectively to these threats. That this is possible is evidenced by the experience of Spain, which, following decades of terrorist actions and threats from the ETA, and more recently from al-Qaeda, has developed a system in which the National Police and the *Guardia Civil* are key components.¹⁶ The longer and far better documented U.S. experience with its Terrorist Early Warning system, and more recently the Intelligence Fusion Centers, might prove relevant for other European countries.

While no reliable figures on the size of the intelligence services in European countries are available, data on the size of the police forces are accessible.¹⁷ And, considering the nature of the threat, and the tremendous damage that can be and has been done, failure to draw upon the police is not a luxury any European country can forgo.

BACKGROUND TO THE SPANISH AND U.S. EXPERIENCES IN RESPONDING TO TERRORISM

Development of Spain's Counterterrorism Intelligence Structure

Spain's robust counterterrorism system was designed to take into consideration the country's characteristics and level of terrorist threat. In 1958, during the Franco regime (1939–1975), the terrorist group *Euskadi Ta Askatasuna* (Basque Country and Freedom—ETA) started its terrorist activities in an effort to achieve the independence of the Basque Country, on the border with France. After the coronation of King Juan Carlos I in 1975 and Spain's post-Franco democratization, the ETA retained its killing agenda. Its activities triggered a *coup d'état* attempt in 1981 in which a

part of the military and the *Guardia Civil* sought to reinstall an authoritarian regime that could defeat terrorism by using non-democratic means. But King Juan Carlos managed to stop the coup, and Spain returned to normal although the ETA continued to engage in terrorist activities. The security sector then began to adapt to the level of threat and to coordinate efforts to fully engage in confronting it. Even at this early stage, a certain level of coordination developed between the two main police forces—the National Police and *Guardia Civil*—and the Intelligence Service (SECED) that was built mainly to confront the terrorist threat.

While internal cooperation had become efficient, international cooperation remained a big challenge. In the ETA's initial period as a terrorist group, France was still very skeptical regarding Spain's democratization. Newspaper articles written in the late 1970s are indicative of this skepticism.¹⁸ But, as Spain's democratization became more solid and France realized the security problem that ETA could pose, cooperation increased, especially between the *Gendarmerie Nationale Française* and the *Guardia Civil*, which led to the allowing of armed Spanish police officers in France after the assassination of two unarmed *Guardia Civil* personnel in Southern France in December 2007.¹⁹

The history of the current National Intelligence Service can be divided into three phases, starting with SECED's creation in 1972 until 1977 when Lieutenant General Manuel Gutierrez Mellado—a former Army intelligence officer and Vice President—and Prime Minister Adolfo Suarez created the CESID, an intelligence agency that was active until Prime Minister Jose Maria Aznar decided CNI was a necessity, two years prior to the 11 March 2004 bombings in Madrid, a true breaking point.

The CNI, whose creation was a keystone of the Spanish system, continued to improve as it adapted to the new challenges that Spain was facing at the beginning of the 21st century. It maintained the former CESID's hybrid focus, i.e., on both domestic and foreign threats. This was an obvious decision, given the difficulty in differentiating between the two, especially because Spain's biggest threat, the ETA, had both domestic and international components.

Ever since its creation in 1844 as a militarized police force, the *Guardia Civil* has had an intelligence gathering function. It was included in Article 26 of the *Cartilla del Guardia Civil*, the institutional code that specifies the identity and functions of the force.²⁰ That capacity was crystalized in the creation of the *Servicio de Información de la Guardia Civil* (Guardia Civil Intelligence Service) in 1941. Since then, the Service has done intelligence work, against both ETA and Islamic terrorism. The Spanish National Police also has an intelligence structure, derived from a central unit, the *Comisaría General de Información*, and intelligence cells in each of the country's fifty provinces (*Brigadas Provinciales de Policía Judicial*), and one in each of the Spanish cities in Africa—Ceuta and Melilla. Depending

on its nature if the threat is perceived to be of a provincial level—such as a citizen collecting money to fund ISIS—the *Brigadas Provinciales* would be in charge of collecting and processing information leading to the arrest if a crime seems to have been committed. The *Comisaria General de Información* would act only if the nature of the crime or threat is greater.

Fusion Centers

Two months after the March 2004 bombings in Madrid, Spain created the first Intelligence Fusion Center to ensure cooperation among the various agencies: the *Centro Nacional de Coordinación Antiterrorista* (National Coordination Center Against Terrorism—CNCA). By agreement of the Ministers' Council it integrated the National Police, *Guardia Civil*, and the National Intelligence Center (CNI). Its membership included 36 Police and *Guardia Civil* personnel and five CNI agents, and was directed by each of the forces, rotating every two years.²¹ As a very strategic component, it was taken under the Ministry of Internal Affairs during Alfredo Pérez Rubalcaba's administration as Minister (2006–2011).

Aware that having Intelligence Fusion Centers target organized crime was an urgent need in Spain due to the strengthening of different crime networks, the government in 2006 created the *Centro de Inteligencia contra el Crimen Organizado* (Intelligence Center against Organized Crime—CICO) through Royal Decree 991/2006. Emulating the CNCA, CICO was comprised of the same institutions. The Center, which included 75 police officers and *Guardias Civiles*, with support from the *Servicio de Vigilancia Aduanera* (customs), was put in charge of providing intelligence to the government in organized crime-related matters.

Ten years after the creation of CNCA and eight after CICO, the government in 2014 became increasingly aware of how terrorism and organized crime frequently act together and how, more often than not, organized crime serves as the main way of financing terrorism. That realization led to the unification of the two units into the *Centro de Inteligencia contra el Terrorismo y el Crimen Organizado* (Intelligence Center against Terrorism and Organized Crime—CITCO), created in 2014 by Royal Decree 873/2014.²² CITCO is a purely analytical organization.²³ The main goal was to establish common criteria and coordination among the different institutions engaged in countering organized crime and terrorism, thus, avoiding duplication.²⁴

Analysis of the Interagency Process and CITCO in Spain

One of the biggest challenges faced by Spain's security forces was interagency competition. Bureaucratic obstacles and walls were part of the problem, as

were historical legacies: each force has its own tradition, approach, and history. Therefore, the more conservative *Guardia Civil*, with its military structure, has sometimes culturally clashed with the more liberal and civilian-oriented National Police.

Nevertheless, despite the routine interagency challenges, these agencies have ultimately worked together very effectively, particularly since the creation of CITCO. No evidence has emerged of egregious failures or clashes among CITCO's components in carrying out their joint mission of combating terrorism and organized crime.²⁵ To the contrary, statistics reveal the detention of more than one hundred suspects of terrorism since 2015 as a result of their work.²⁶ That represents significant success. While some previous problems continue—for instance, although CITCO is legally the sole coordinating structure, where some groups work on terrorism and others on organized crime, those working on terrorism tend to be given more resources, credit, and political support²⁷—coordination, sharing, and cooperation among the CNI, *Guardia Civil*, and the Spanish Police has been very effective. Meanwhile, the competition, particularly between the *Guardia Civil* and the Police, has been rather “healthy,” in that it has sought a balance of power between the two institutions, with each checking on the other.²⁸ Moreover, the laudable relationship of the *Guardia Civil* and Spanish National Police with CNI is based on complementarity *versus* competition.²⁹ For example, intelligence the *Guardia Civil* receives either directly or *via* CNI that is not of interest but may be needed by the Police will be immediately shared, and *vice versa*.³⁰ Also, since the CNI is not legally allowed to perform arrests it shares necessary information with the Police and/or *Guardia Civil* so they can proceed to arrest.

Overall, Spain has been increasingly successful in developing an interagency process, including fusion centers, for combating terrorism and organized crime. These accomplishments have been made possible by a direct *jihadi* terrorist threat to Spain and the resulting institutional awareness of the need for cooperation and coordination in order to effectively tackle this threat while preserving democratic values. Policymakers and individual security institutions have become aware of the need for including the police and intelligence services in fighting terrorism.

In addition, CITCO is the institution in charge of representing Spain in multinational environments and operations, including the international police operation launched by Europol, “Ciconia Alba 2016,” with its stronger organized crime component.³¹ The fact that Spain's national level intelligence is already centralized has facilitated its international cooperation.

While the CITCO may not be well known to the Spanish public, many citizens acknowledge the effectiveness and professionalism of the *Guardia Civil* in the fight against terrorism. This has a historical explanation, based

on the fact that the ETA had a very rural component, as had the *Guardia Civil*, making it the main institution responsible for that counter-terrorist activity. The current status of intelligence in Spain represents a significant accomplishment given the fact the country has yet to develop a robust intelligence culture, although the initial steps have been taken, especially since the 2004 bombings.

INTELLIGENCE REFORM IN THE U.S. AND THE ROLE OF INTELLIGENCE FUSION CENTERS

In response to the Islamist terrorist attacks on the United States on 11 September 2001 (9/11) experts and officials concluded that America's national security and defense structures had to change dramatically to deal with escalating international terrorism. The first major effort to reorganize the U.S. national security and defense structures after 9/11 emerged from the findings of the National Commission on Terrorist Attacks Upon the United States, the 9/11 Commission, which was created by Congress and the White House (Public Law 107-306, 27 November 2002) to find out what went wrong, and who, if anyone, was to blame for the failure to prevent the attacks. The Commission and its report focused on three main areas of reform, one of which, titled "Reforming the Institutions of Government," includes the Intelligence Community (IC).

The CIA's Central Role

Initially, the IC was fragmented without coordination until the creation of the Central Intelligence Agency by the National Security Act of 1947. But by 2001, the U.S. Intelligence Community consisted of fifteen separate agencies, or major organizations within agencies, engaged in some part of the intelligence cycle. Despite that enlargement, problems remained. Professor Amy Zegart in 1999 identified a critical weakness of the resulting bureaucracy:

the Central Intelligence Agency never succeeded in centralizing intelligence. Instead of exerting discipline over the far-flung intelligence community, the CIA only added to the crowd, producing its own reports and developing its own independent collection capabilities. In addition, the agency pursued a series of illegal and quasi-legal activities that eventually triggered citizen outcries and congressional intervention.³²

In 1949, just two years after passage of the National Security Act, the first proposal to reorganize the IC was formulated but never successfully implemented. Over the half-century between 1949 and the 9/11

Commission Report, none of the subsequent proposals was successful. As a Congressional Research Service (CRS) report states:

Proposals for the reorganization of the United States Intelligence Community have repeatedly emerged from commissions and committees created by either the executive or legislative branches. The heretofore limited authority of Directors of Central Intelligence, and the great influence of the Departments of State and Defense have inhibited the emergence of major reorganization plans from within the Intelligence Community itself.³³

In an internal, yet unclassified, study, “The U.S. Intelligence Community: Reform Studies since 1947,” Michael Warner, chief historian to the Office of the Director of National Intelligence, examined “the origins, context, and results of 14 significant studies that have surveyed and sought to improve the American intelligence system since 1947.”³⁴ The study demonstrated that some reforms during the intervening fifty-seven years were successful. In concluding his report, Warner highlighted the main structural obstacles to reform:

Intelligence reform is difficult because it involves two branches of government—Congress which diffuses its two houses’ authority among their committees, and the Executive Branch, whose departments and agencies each respond to both political and institutional pressures. Within the Executive Branch, the Intelligence Community itself is fragmented, with the principal fault line between the DCI and his CIA on the one hand and the Secretary of Defense and his Department on the other. The studies we’ve examined nonetheless reveal that, despite these systemic difficulties, reform is possible when most of the key political and bureaucratic actors agree that something must change—even if they do not all agree on exactly what that change should be.³⁵

The impetus for major change was ultimately produced by the terrorist attacks of 11 September 2001 and the 9/11 Commission created by the legislative and executive branches on 27 November 2002.

The 567-page *9/11 Commission Report* outlined the emergence of terrorist threats to the United States, and described the fecklessness of the government’s response to the emerging threats. It pointed out, for example, that “The road to 9/11 again illustrates how the large, unwieldy U.S. government tended to underestimate a threat that grew ever greater,” and put heavy blame on the bureaucratic or organizational features of the security system.³⁶

In view of the Commission’s analysis of the problems with U.S. intelligence, the *Report*’s last chapter is unsurprisingly titled: “How To Do it? A Different Way of Organizing the Government.” Four of the five

subsections in that chapter dealt with “unity of effort,” two of them specifically with intelligence and information sharing. The *Report* made seven specific recommendations for intelligence reform:

1. create the position of Director of National Intelligence;
2. set up a National Counterterrorism Center;
3. create a Federal Bureau of Investigation (FBI) national security workforce;
4. define new missions for the CIA director;
5. create incentives for information sharing among departments, agencies, and sub-agencies in the IC;
6. stimulate government-wide information sharing; and
7. promote homeland airspace defense.

In view of the political layers involved, including but not limited to bureaucratic politics, which both exacerbated the lack of cooperation among the agencies and promoted general inertia, the fact that the recommendations were enacted into law, and to a high degree implemented, is important in itself. Political momentum carried the Commission’s recommendations into law through the Intelligence Reform and Terrorism Prevention Act of 2004. Several government reports have assessed the degree to which the recommendations have been implemented.³⁷ Because of the legislative branch’s close involvement in these matters, the Congressional Research Service publishes unclassified quarterly reports on “Intelligence Issues for Congress,” which analyze the status of Intelligence Community reform initiatives.

The requirement to reform the IC’s structures and processes has been addressed through several important institutional innovations, including the creation of the Office of the Director of National Intelligence; the establishment of the National Counterterrorism Center; and new missions for the CIA director. To address the issue of resources, the legislation created incentives, including funds and personnel benefits, for a national security workforce that would promote information sharing among agencies government-wide.³⁸

While all seven of the *Report*’s recommendations have to some degree been implemented, items (5) to create incentives for information sharing among departments, agencies, and sub-agencies in the IC and (6) to stimulate government-wide information sharing best enable the Intelligence Fusion Centers to fit in as an important element in U.S. counter-terrorism strategies. They are a component of the U.S. Information Sharing Environment (ISE) established by the 2004 legislation to facilitate information sharing, access, and collaboration to more effectively combat terrorism.³⁹

According to a Congressional Research Service report on ISIS and “homegrown violent jihadist activity in the United States since September 11, 2001” intelligence fusion centers “play a notable role in information and

intelligence sharing, bringing together federal, state, and local law enforcement and security professionals working on counterterrorism and crime issues.”⁴⁰

The formal definition of a Fusion Center is: “a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity.”⁴¹ Intelligence processes through which information is collected, integrated, evaluated, analyzed, and disseminated are a primary focus. Fusion involves the exchange of information from different sources, including law enforcement, public safety, and the private sector. Relevant and actionable intelligence results from analysis and data fusion.

The *Fusion Center Guidelines* of 2006 and the *Baseline Capabilities for State and Major Urban Area Fusion Centers: A Supplement to the Fusion Center Guidelines*, of September 2008 elaborate on the *Guidelines and Key Elements of Fusion Centers*.⁴²

Fusion Centers—Then and Now

Fusion centers, or entities that came to be called fusion centers, existed in New York and Los Angeles prior to 9/11. A key feature is that they remain a local or state-level initiative. Seeing that fusion centers were a useful concept, they became central to the *9/11 Commission Report's* items #5 and #6. The federal government, especially the Departments of Homeland Security (DHS) and of Justice (DOJ), have supported their development.

As of late 2016 the 78 U.S. fusion centers varied tremendously in focus given their origins as meeting state and local needs. The National Strategy for Information Sharing (NSIS) stipulates that fusion centers serve as the primary focal points within states and localities for the receipt and sharing of information on terrorism. Through the NSIS, the federal government promotes the centers to achieve a baseline level of capability and to ensure compliance with privacy laws in a coordinated effort to become interconnected with the federal government and each other in a national network of sharing terrorism-related information.

Have they been successful? Proving a negative is impossible, and outsiders have no way of knowing if the fact that terrorist attacks in the U.S. have been relatively infrequent is due to terrorists not targeting the U.S. or to effective institutional means that stop such attacks. While acknowledging the fundamental problem of proving, or disproving, a negative, the following observations are possible with regard to the American experience with intelligence fusion centers. A common phrase when discussing fusion centers with those involved studying them is: “When you have seen one fusion center you have seen one fusion center,” meaning that generalizations are not possible for the whole range of the current U.S. fusion centers.

According to an expert who has ongoing close involvement with virtually all fusion centers in the U.S., between one-third and one-half work well.⁴³ In addition to analyses and reports by the Government Accountability Office (GAO), only one systematic effort, in the form of a Ph.D. dissertation, has been made to assess the effectiveness of a sample of fusion centers. Andrew Coffey's research demonstrated that, according to the stakeholders, most fusion centers are perceived to add value. These results have been fed back into the process of improving fusion centers, and Coffey is very positive and optimistic on the results.⁴⁴

On the face of it, the goal of bringing information up from the local level and down to the local level from national intelligence organizations in the effort to combat terrorism and crime seems to intuitively make sense. But several "issues" or challenges are inherent in the process and European decisionmakers must now decide whether this is an institutional innovation they are willing to explore.

Fusion Center Difficulties

Four main problems can be identified. Based on the U.S. experience since 2005, certain lessons have been learned to deal with or respond to these problems. These are not necessarily "solutions" but rather the means developed to deal with the challenges. The lessons learned may be relevant for some European countries if they decide to further develop relations between their intelligence agencies and the police in fighting terrorism.

Intelligence fusion centers are not a creation of the U.S. federal government, but are rather local initiatives. According to the president of the National Fusion Center Associations, they are "owned" by state and local entities and receive support from civilian agencies of the U.S. government.⁴⁵ Oddly enough while the Department of Defense (DoD) component consists of half the agencies or elements of the 17 American IC agencies (excluding the CIA, DoS ONR, DEA, DHS, Energy, FBI, and Treasury), and more than 80 percent of the total intelligence budget, the fusion centers have nothing to do with the DoD.

1. Financing and Support. The fusion centers which emerged in 2005 were preceded in 1996 by the Terrorism Early Warning (TEW) model in large American cities, including Los Angeles and New York. While perhaps not yet obvious to decisionmakers at the national level, some local officials had already become aware of the terrorist threat to the U.S. homeland following the first World Trade Center bombing incident in 1993. According to John P. Sullivan, perhaps the single most important proponent of the TEW, they were largely financed by state and local entities, with the largest component being in-kind contributions from participating agencies.⁴⁶

Federal funding to fusion center budgets is at the discretion of the state and local governments that determine the amount of money from federal grants that they allocate to fusion centers each year among a number of competing homeland security needs. But they do not have to use the federal funds for fusion centers. Moreover, as federal funds have decreased, states and local entities have made up the difference out of other funds.⁴⁷ The DHS and DOJ deploy, or assign, either part-time or full-time personnel to fusion centers to support their operations and serve as liaisons between the fusion centers and federal components. As of July 2010, the DHS had deployed 58 intelligence officers and the FBI had deployed 74 special agents and analysts full time to 38 of the then 72 fusion centers. The DHS and DOJ share classified and unclassified homeland security and terrorism information with the fusion centers through several information technology networks and systems. The DHS reports that it has installed the Homeland Secure Data Network, which supports the sharing of federal secret-level intelligence and information with state, local, and tribal partners. The DHS also provides an unclassified network, the Homeland Security Information Network, which allows federal, state, and local homeland security and terrorism-related information sharing. The DHS partners with the DOJ to offer fusion centers a variety of training and technical assistance programs.⁴⁸ In short, while the 78 fusion centers receive grants from the federal government, as well as personnel and technical support, they remain essentially local or state-level organizations. This is extremely important both for the input of citizens to the process and to increase the effectiveness of local police through their access to national-level databases and networks.

2. *The Misconception "Out There" is That the Fusion Centers Deal Only with Counterterrorism.* Were this the case it would not be a good use of funds since terrorism is not the only—and quite possibly not even the most important—local threat or problem. This point became polemical when, on 3 October 2012 the staff of the U.S. Senate Permanent Subcommittee on Investigations issued a report criticizing the fusion centers for not meaningfully contributing to federal counterterrorism efforts. A joint statement from state and local officials argued in response:

One of the greatest benefits of fusion centers to state, local and tribal law enforcement is the ability to maintain an all crimes approach. The law enforcement and intelligence communities rely on fusion centers to provide information and fusion centers rely on state, local and tribal law enforcement to provide information—both to the benefit of connecting the dots of high crime areas and indications of terrorism related activity.⁴⁹

In short, fusion centers follow an “all crimes, all hazards” approach that includes, but is not limited to, terrorism. The focus depends on the locale

and the time. Thus, a mechanism, the intelligence fusion center, is in place which can respond to terrorist threats when they arise.

3. *Europe's Experiences with the Gestapo, Stasi, and Securitate, among others, Create Great Sensitivities to Intelligence, and Particularly Domestic Intelligence Services.* Certain sensitivities also exist in the U.S. with the exposés of FBI and CIA wrongdoing in the 1970s and the more recent exposés of “domestic spying” associated with Edward Snowden and the National Security Agency (NSA). The American Civil Liberties Union (ACLU) actively researches and denounces violations of civil liberties, especially those guaranteed in the First Amendment of the U.S. Constitution. Yet the challenge of increasing security in the face of threats while simultaneously guaranteeing civil liberties cannot be avoided. In the U.S., however, government and non-government organizations (NGOs) such as the GAO, the ACLU, the Brennan Institute, and others, as well as academics consistently investigate and criticize some fusion centers. Their criticisms are normally embraced and the processes improved.⁵⁰ Nearly all fusion centers now have privacy protection rules and regulations in place. While an ongoing and inescapable trade-off is present in these issues, constant vigilance is encouraged as is utilizing all available means to investigate procedures, disseminate information, and seek improvements. Notably, in response to ISIS terrorism, the *New York Times* reported on 15 April 2016 that “E.U. Lawmakers Vote to Collect Data on Air Passengers.”

4. *Undoubtedly the Greatest Challenge to the “Fusion” Required of the Process in Intelligence Fusion Centers is the Blending of Two Totally Different Cultures.* The culture of the police, who utilize information in prosecuting those suspected of breaking the law, and the national level intelligence agencies that collect information, is presumably in line with the “intelligence cycle,” for decisionmakers. Although “intelligence-led policing” is a goal in the U.S, it is not yet a fact. Attempts to combine the police culture, with its often mutually hostile attitudes, many based on very different class and educational backgrounds, with the intelligence services’ collection of information for the sake of collecting information for decisionmakers, frequently result in a “dialogue of the deaf.” Consequently, the main focus in national meetings, seminars, and the providing of technology and access to multiple sources of information is to meld or fuse information collected at a local level with information collected by the national intelligence organizations. Undoubtedly, the key element in the fusion is the physical co-location of local police and similar peace officers, including some elements of the private sector, with national level officials, most often from the FBI, DHS, and ODNI. The main obstacle to a successful intelligence fusion center is clearly the clash of the different cultures, while the main element promoting success is co-location.

NEW ANTI-TERRORISM INITIATIVES

Terrorism, assiduously promoted by DAESH/ISIS, is a reality in Europe. The general awareness is that the intelligence agencies, as currently configured in most European countries, are not up to the task of dealing with the threat. In both France and Germany major changes are underway seeking to improve counterterrorism strategies. The EU, currently discussing new initiatives to respond to terrorism, has recently, reluctantly but necessarily, agreed to provide information on airline passengers. Most importantly, in Spain, and even more so in the U.S., the national level intelligence agencies have developed useful links with local level police organizations. Several lessons-learned, particularly from the U.S. experience which is more extensively documented, but also supported by the experience in Spain, might prove useful should other European countries become interested in pursuing a similar path. Developments in both Spain and the U.S. clearly reveal that threat perception matters and acts as the principal catalyst for not only interagency reform, but also for effective intelligence—law enforcement coordination, cooperation, and sharing. These efforts have been motivated, specifically by the attacks on 9/11 in the U.S. and the internal threat posed by ETA in Spain, as well as by the post-2004 security context, in which the jihad threat complemented, and admittedly, largely replaced the ETA danger. In the U.S., the extensive creation of new organizations along with the intelligence fusion centers has led to the development of stronger links between national level intelligence organizations and state and local police. In Spain, the strengthening of cooperation among the two national Police Forces and the National Intelligence Service (CNI) resulted first in the creation of the CNCA and CICO, and finally, in the merger between the two Fusion Centers into CITCO, an Intelligence Fusion Center that allows National Intelligence and Police Intelligence to collaborate in meeting perceived threats to the nation's security.

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